

REMARKS**A. INTRODUCTION**

Claims 25-43 are pending. In the Final Office Action dated November 1, 2006, the Examiner rejected claims 25-43 under 35 U.S.C. § 102(e) over U.S. Patent No. 6,477,550 to Balasubramaniam.

B. APPLICANT'S TECHNIQUES

Applicant's techniques are directed to optimizing network-based applications. A network-based application (e.g., software component) may be customized for a particular execution environment of a client to optimize the user's experience. Applicant's techniques determine whether a software component can successfully execute in the execution environment of the client. If so, a client determines a plurality of parameters for the execution environment of the software component. The client provides the plurality of parameters to the server. The server downloads to the client a software component that is configured by the server according to the parameters of the client's execution environment. If the software component cannot successfully execute on the client, an error message is presented to the client.

C. BALASUBRAMANIAM

Balasubramaniam describes browsing web sites using different types of browsers. A web server may serve web pages that can only be displayed on a client computer running Internet Explorer and cannot be displayed on a client computer running Netscape Navigator. If the web pages are served to a client computer running Netscape Navigator, which would not otherwise be able to display the web page, a plug-in that emulates Internet Explorer must be installed on the client computer. Balasubramaniam discloses when a request for a web page is received at a web server, first determining whether the client is using Internet Explorer. If so, the web page is served to the client. If not, the web server determines whether the plug-in is already installed on the client computer and, if not, installs the plug-in on the computer. Unlike

applicant's techniques, Balasubramaniam does not describe determining a plurality of parameters for the execution environment of an application, nor does it describe an application that is configured according to the parameters of the execution environment.

D. PRIOR ART REJECTIONS

Claims 25-43 stand rejected over Balasubramaniam, under 35 U.S.C. § 102(e). Applicant respectfully traverses this rejection.

All of the claims recite first determining whether a software component can successfully execute in an execution environment of a client and then determining the parameters of the execution environment of the client. The claims also recite a server downloading to the client a software component that is configured by the server according to the determined parameters. Claims 25-35 recite:

- determining whether the software component can successfully execute in the execution environment of the client ...

- when it is determined that the software component can successfully execute in the execution environment of the client,

- determining parameters of the execution environment of the client;

- sending to the server a request to download the software component, the request indicating the determined parameters;

- receiving from the server the software component the software component configured according to the determined parameters.

Claims 36-43 recite:

- determine whether the software component can successfully execute in the execution environment [and] determine parameters of the execution environment of the client ...

- after ... determin[ing] that the software component can successfully execute in the execution environment of the client,

- receiving from the client a request to download the software component, the request indicating parameters ...;

- configuring the software component according to the determined parameters; and

- sending to the client the configured software component.

In contrast, Balasubramaniam makes only one determination. Balasubramaniam determines whether a web page can successfully execute in the execution environment of the client. It does not, however, determine the parameters of the execution environment of the client. To determine whether the web page can successfully execute on the client, Balasubramaniam ascertains which browser the client is using. If the client is using Internet Explorer, browsing continues as normal. (Balasubramaniam, 6:10-14.) If the client is using Netscape Navigator, the client must install an Internet Explorer-emulating browser plug-in (if one is not already installed) before browsing continues. (Balasubramaniam, 6:10-18, 44-54.)

Unlike applicant's techniques, Balasubramaniam does not describe determining a plurality of parameters for the execution environment of a web page, nor does it describe a web page that is configured according to the parameters of the execution environment. Applicant's techniques configure a software component based on the "determined parameters" of the execution environment of the client, as recited by claims 25-43. Some of the parameters of the execution environment of the client that are determined by applicant's technology include hardware configuration of the client, operating system of the client, web browser environment, network path between client and server, and user's characteristics. (Specification, p. 16, ¶ 45.) In contrast, Balasubramaniam emphasizes providing "standard applications or services to a user of a client computer," without analyzing the execution environment of the client or adjusting the application or service in regard to the execution environment. (Balasubramaniam, 4:8-14.) Balasubramaniam fails to teach or suggest "determining parameters of the execution environment of the client" and further fails to teach or suggest "configuring the software component according to the determined parameters."

E. CONCLUSION

Based upon the above remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Dated:

1/3/07

Respectfully submitted,

By Maurice J. Pirio

Maurice J. Pirio

Registration No.: 33,273

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant